

10/522153

Rec'd PCT/PTO 24 JAN 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85911

Teruo KIRIKAE, et al.

Appln. No.: Based on PCT/JP03/09267

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: January 24, 2005

Examiner: Unknown

For: ANTIBODY AGAINST ANTIBACTERIAL PEPTIDE AND USE THEREOF

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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23373
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Date: January 24, 2005

Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

Application Number	Based on PCT/JP03/09267
Confirmation Number	Unknown
Filing Date	January 24, 2005
First Named Inventor	Teruo KIRIKAE
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket No.	Q85911

Sheet 1 of 1 Attorney Docket Number Q83911

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US			

FOREIGN PATENT DOCUMENTS

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		T. Kirikae, et al., "Protective Effects of a Human 18-Kilodalton Cationic Antimicrobial Protein (CAP18)-Derived Peptide against Murine Endotoxemia", Infection and Immunity, May 1998, Vol. 66, No. 5, pp. 1861-1868	
		A. Swierzko, et al., "Biological activities of lipopolysaccharides of Proteus spp. and their interactions with polymyxin B and an 18-kDa cationic antimicrobial protein (CAP18)-derived peptide", J. Med. Microbiol., February 2000, Vol. 49, No. 2, pp. 127-138	
		M. Hirata, "Honyu-rui ga Tsukuru Kokin Tanpakushitsu (CAP18) no Lipo Tato Chuwa Kassei to Seitai Bogyo", Protein nucleic acid and enzyme, March 10, 2001, Vol. 46, No. 4 special extra issue, pp. 575-581	
		M. Hirata, et al., "Endotoxin-neutralizing proteins for sepsis and endotoxin shock", International Congress Series, 1996, Vol. 1102, pp. 109-115	
		J. W. Lerrick, et al., "Human CAP18: a Novel Antimicrobial Lipopolysaccharide-Binding Protein", Infection and Immunity, April, 1995, Vol. 63, No. 4, pp. 1291-1297	
		International Search Report dated September 2, 2003	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.